

Office of the Governor  
State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR



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June 29, 2021

**VIA HAND DELIVERY**

Honorable Clay J. Schexnayder  
Speaker of the House  
Louisiana House of Representatives  
Post Office Box 94062  
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 26 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 26 of the 2021 Regular Session.

Senate Concurrent Resolution 4 of the 2018 Second Extraordinary Session of the Louisiana Legislature directed the Louisiana State University Center for Energy Studies and Public Administration Institute to conduct a comprehensive review of Louisiana's severance taxes and to make specific recommendations to the Legislature. The recommendations were included in a report to the Legislature titled "Mineral Revenues in Louisiana" presented in March 2020. The primary recommendations in the report to the Legislature focus on implementing an equivalent volumetric tax rate for oil and natural gas and removing exemptions associated with horizontal drilling, tertiary wells, and deep wells for new activity. While the Legislature has taken steps to address tax reform through the streamlining of the sales tax and remodeling the income and franchise taxes during this session, the broad severance tax recommendations were put on hold.

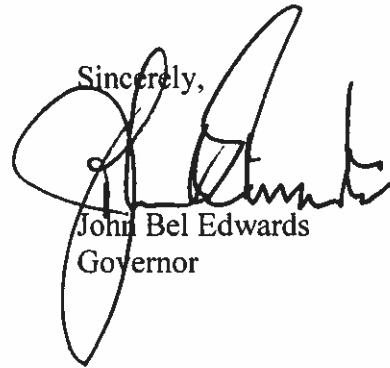
House Bill 26 seeks to adjust the value at which crude oil produced from certified stripper wells is exempt from severance tax. Under current law, crude oil produced from certified stripper wells is exempt from severance tax in any month when the value of the oil is less than \$20 per barrel. As originally filed, House Bill 26 would have increased the value from \$20 per barrel to \$75 per barrel. The Enrolled House Bill 26 has a value of \$35 per barrel. The report addresses production from stripper wells and acknowledges that "a number of states have severance tax relief for stripper and incapable wells due to the relatively stable costs of producing the oil and gas but with a volatile revenue stream." Our neighboring state of Texas allows for marginal well relief with an exemption level of \$22 per barrel. This rate is more in line with existing law in Louisiana. The appropriate value of any exemption for oil produced from stripper wells or whether such an exemption is allowed should be included in the broader discussion on the comprehensive reform of the overall severance tax. The volumetric rate proposals and appropriate exemptions from the

Honorable Clay J. Schexnayder  
June 29, 2021  
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tax are important severance tax matters that impact every Louisiana oil and gas business and should not be addressed in a piecemeal fashion.

For these reasons, House Bill 26 is vetoed and returned to the House of Representatives.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bel Edwards". The signature is stylized with large loops and a long horizontal stroke.

John Bel Edwards  
Governor

cc: Honorable Patrick Page Cortez  
Louisiana Senate President

2021 Regular Session

HOUSE BILL NO. 26

BY REPRESENTATIVE MCCORMICK

AN ACT

To amend and reenact R.S. 47:633(7)(c)(i)(bb), relative to severance tax exemptions; to provide for the value used to determine the applicability of an exemption for certified stripper well production; to provide for certain requirements and limitations; and to provide for related matters.

**ORIGINATED**

IN THE

House of Representatives

GOVERNOR'S OFFICE	
JUN 10 2021	
TIME	<i>9:11am</i>
RECEIVED	<i>SP</i>

*Michelle D. Linder*

Clerk of the House of Representatives

2021 Regular Session

HOUSE BILL NO. 26

BY REPRESENTATIVE MCCORMICK

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AN ACT

To amend and reenact R.S. 47:633(7)(c)(i)(bb), relative to severance tax exemptions; to provide for the value used to determine the applicability of an exemption for certified stripper well production; to provide for certain requirements and limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:633(7)(c)(i)(bb) is hereby amended and reenacted to read as follows:

§633. Rates of tax

The taxes on natural resources severed from the soil or water levied by R.S. 47:631 shall be predicated on the quantity or value of the products or resources severed and shall be paid at the following rates:

\* \* \*

(7)

\* \* \*

(c)(i)


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(bb) Crude oil produced from certified stripper wells shall be exempt from severance tax in any month in which the average value set forth in Subparagraph (a) of this Paragraph is less than twenty thirty-five dollars per barrel.

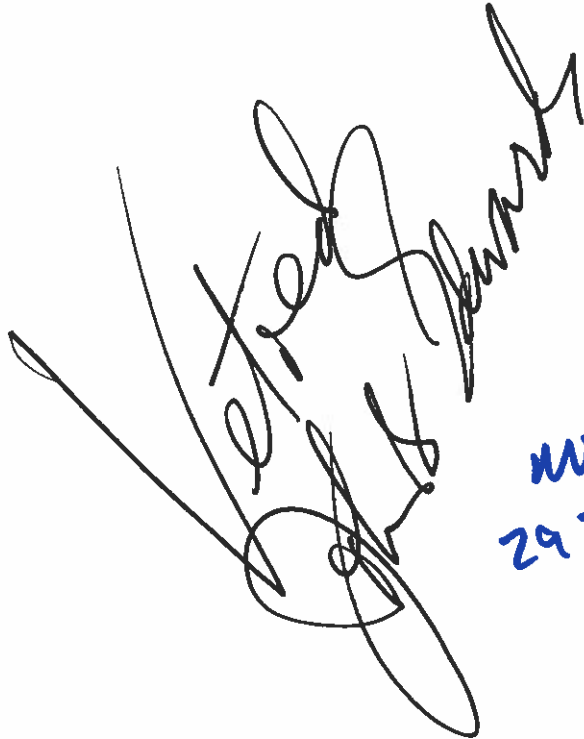
\* \* \*

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_



MFB  
29 June 2021